

## **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of March 17, 2008.

Reconsideration of the Application is requested.

## **The Office Action**

Claims 2-4, 6-9, 13-25 and 39 remain in this application. Claims 1, 5, 10-12 and 26-38 have been canceled. Claim 39 is presently added.

Claims 1-38 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Also, all of the claims 1-38 lack a useful, concrete and tangible result.

Claims 1-4, 6-9, 13-26 and 28-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Westerinen et al. U.S. Patent No. 7,065,740 (hereinafter "Westerinen") in view of Haines et al. U.S. Patent Publication No. 2002/0072998 (hereinafter "Haines")

## **Applicant's Response**

With regard to the rejection of claims 1-38 as directed to non-statutory subject matter, independent claim 39 has been added and all remaining dependent claims, i.e. claims 2-4, 6-9 and 13-25 are dependent therefrom.

Newly added independent claim 39 is directed to a provisioning services computer hardware platform comprising a provisioning server configured as claimed. Accordingly, the Applicant asserts the pending claims are directed to a useful, concrete and tangible result. Specifically, the claims are directed to a provisioning services configured to receive service subscription and supply requests initiated from a DMA, and execute the development of services and supplies replenishment to one or more printing system devices associated with the DMA.

Accordingly, the Examiner is respectfully requested to withdraw this grounds of rejection.

With regard to the rejection of previously presented claims 1-4, 6-9, 13-26 and 28-38 under 35 U.S.C. § 103(a) as being unpatentable over Westerinen in view of

Haines et al., the Applicant asserts the newly added independent claim 39, and all claims depending therefrom, i.e. claims 2-4, 6-9 and 13-25 are not obvious over Westerinen in view of Haines et al.

Specifically, Westerinen and Haines et al. do not disclose a provisioning services computer hardware platform for a printing system comprising a provisioning server, as claimed, configured to communicate with a device model agent (DMA) program associated with one or more printing system devices, wherein the provisioning server is configured to receive service subscription and supply requests initiated from the DMA, as claimed.

Accordingly, the Examiner is respectively requested to withdraw this grounds of rejection.

### CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 2-4, 6-9, 13-25 and 39) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) NUMBER EXTRA
TOTAL CLAIMS	21	- 38 = 0
INDEPENDENT CLAIMS	1	- 3 = 0

This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

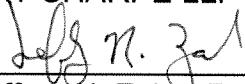
A request for a two-month extension of time is being filed separately and paid for by credit card via EFS Web.

The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Jeffrey N. Zahn, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

  
8/18/2008

Date

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